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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,807	11/30/2001	Jay Short	DVSA-1005US	6627

20985 7590 01/15/2004

FISH & RICHARDSON, PC
12390 EL CAMINO REAL
SAN DIEGO, CA 92130-2081

EXAMINER

BORIN, MICHAEL L

ART UNIT	PAPER NUMBER
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1631

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20040105

DATE MAILED:

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Commissioner for Patents

The communication filed on 10/29/2003 is not fully responsive to the prior Office action because of the following omissions or matters:


1) Applicant improperly indicates claims directed to the elected group: Group III begins from claim 31, rather than claim 33 as indicated. Subject matter of claim 33 (polynucleotides encoding polypeptide used in claim 31) is not further limiting claim 31 as the method claims are drawn to producing polypeptide polymer rather than polypeptide itself. Election of a particular polynucleotide (SEQ ID No. 1) is non-responsive; a polypeptide specie should be elected instead.

2) Further, in view of amendment of claims 31, the following additional election of species is requested:
Elect polymerization conditions from self-assembly or polymerization in the presence of a template molecule (as in claim 31 (b)).

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Borin whose telephone number is (703) 305 4506. Dr. Borin can normally be reached between the hours of 8:30 A.M. to 5:00 P.M. EST Monday to Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Michael Woodward, can be reached at (703) 308-4028. The fax numbers for this group are (703) 305-3014 and (703) 308-4242.

Any inquiry of a general nature or relating the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.


Michael Borin, Ph.D.
Primary Examiner
Art Unit: 1631